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UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL ADJUSTMENT ADMINISTRATION

Northeast Division

Issued August 17, 1939

1940 PROCEDURE FOR THE ELECTION OF COMMUNITY AND COUNTY COMMITTEEMEN
AND OPERATION OF COUNTY AGRICULTURAL CONSERVATION ASSOCIATIONS

PART I. General

These instructions are issued in accordance with and to supplement the Articles of Association of County Agricultural Conservation Associations as amended July 28, 1938 (Form ACP-71). They are designed to provide in one place the necessary instructions relative to 1940 organization activities.

It is desirable that organization work involving the election of County and Community Committeemen be performed well in advance of 1940 program activities, in order that Community and County Committeemen may be qualified and prepared, without question, to perform effectively the necessary program activities from the beginning of the 1940 program. As provided in Section 55 of Form ACP-71, it is contemplated that the terms of office of all Community and County Committeemen and officers of association will begin on January 1, 1940.

PART II. Outline of 1940 Organization Procedure

The essential organization activities to be performed prior to the 1940 program activities include the following and should be performed in the order listed:

1. Determination of local administrative areas or community boundaries and submission of Forms ACP-80 for approval.
2. Community educational and election meetings.
3. County convention for election of County Committeemen.
4. Transmittal of organization forms.

PART III. Determination of Community Boundaries

In accordance with Section 41 of Form ACP-71, the county may be divided into local administrative areas or communities, the boundaries

of which shall be fixed by the Secretary of Agriculture, and no such boundary shall include more than one county or parts of different counties. Community boundaries may conform with the boundaries of minor civil divisions or townships but may include all or a part of more than one such townships or minor civil divisions. Community boundaries should as far as possible conform with the limits of areas naturally constituting farm communities. The present community boundaries should be studied and a decision made by the County Committee as to whether they desire to recommend any changes in the boundaries as now established. The recommendation for changes in 1940 community boundaries shall be made on Form ACP-80, entitled "Community Boundaries" as outlined in Part IX below. The submission of Form ACP-80 is required only if the County Committee desires to recommend changes in present community boundaries as already approved for 1939. In the case of counties in which no change in community boundaries is recommended and for which an ACP-80 is not submitted for approval prior to the election, the State office will notify the Regional Director in writing of that fact at least five days prior to the election meeting.

PART IV. Community Educational and Election Meetings

A. Preparation for Community Meetings

The date and place of all community meetings should be given full publicity. Such publicity shall include a written notice mailed, at least five days prior to the time of the meeting, to all persons in the community who, upon the basis of the information available to the County Committee, are eligible to participate in any Program administered by the Association. All other available means of publicity, including items in local newspapers, the posting of notices, and radio should be utilized.

B. Order of Business at Community Meeting

The Chairman of the Community Committee for 1939, or, in his absence or inability to serve, the Vice-Chairman, shall act as Chairman of the meeting for the election of the Community Committeemen for 1940. Following the election of the Community Committeemen, there shall be elected one delegate and one alternate delegate to the County Convention. The newly elected Committee shall then prepare and transmit Form ACP-81, "Minutes of Community Election Meeting", to the County Committee.

C. Persons Eligible to Vote in Community Elections

All persons qualifying under Sections 31 and 32, of the Articles of Association (Form ACP-71) as members of the Association are eligible

to vote in community elections. Each member is entitled only to one vote, and a person having an interest in farms in more than one community will be permitted to vote at only one community meeting. Voting by proxy is not permitted.

For the purpose of making the determination as to who is eligible to vote in a community election, the privilege of voting will be extended only to those persons who sign the following statement:

"The undersigned hereby makes application for membership in the _____ County Agricultural Conservation Association and states that, in connection with farming operations in 1940 on farm land located in _____ community, he will be entitled to receive all or a share of the crops produced thereon, or the proceeds thereof; that he intends to participate or cooperate in a Program administered by such Association; and that he has not previously voted in any other Community election in this County for the election of 1940 Committeemen."

The names of persons who sign this statement will constitute the register of members eligible to vote at the community election meeting. All such registers should be forwarded, after the election meeting, to the County office for filing.

D. Election of Community Committeemen, Delegate, and Alternates

Elections in the Northeast Region this year will be conducted in accordance with the following general provisions:

1. All elections shall be written ballot.
2. Every effort shall be made to secure as complete participation as possible in the elections by those eligible to vote.
3. Prior to the election of community committeemen, the Chairman of the meeting shall select a Secretary of the meeting. He shall then read to the members present Section 51 of Form ACP-71, entitled "Eligibility of Committeemen, Delegates, and Alternates", in order that only persons eligible to serve may be elected. The Chairman shall also read Sections 63 and 64, entitled "Duties of Community Committees" and "Duties of Officers of Community Committees", respectively. (In connection with Section 51 of Form ACP-71 "current year" has been construed to mean the calendar year during which the election is being held.)

4. Except in the case of prior approval by the Director of the Northeast Division to elect a smaller number, the members of the Association in each community shall elect a Community Committee of three members, one of whom shall be elected as Chairman and one as Vice-Chairman, and, in addition, a first and second alternate member of the Community Committee who will serve in the order elected in case of the absence, resignation, disability, disqualification, or removal of any committeeman.

A challenge made by any person concerning the validity of the procedure followed at any community election will be recognized only if made in writing to the State Committee not later than 15 days following the date of such election.

If it is determined that a representative number of farmers eligible to vote did not participate in a 1940 community election meeting, the Agricultural Adjustment Administration may declare the election void and require that a new election be held for the selection of committeemen and delegates.

E. Procedure for Community Elections

The State Committee shall select, subject to the approval of the Regional Director, one of the following two methods (A or B) of voting to be followed in the State for the election of 1940 committeemen.

The delegate, community committeemen, and alternates will be elected by the persons present and qualified to vote at a community election meeting called for that purpose by the County Committee. A person elected as chairman or other member of the Community Committee may also be elected as delegate or alternate delegate to the County Convention.

Method A

Nomination for each office shall be made by written ballot and the three persons receiving the highest total number of votes on such nominating ballot shall be declared nominated.

If one member receives a majority of all votes cast in the nominating ballot, he shall be declared elected.

If no member receives a majority, a ballot shall next be taken for the election of one of the three members nominated and if one of the three nominees receives more than one-half of all votes cast, he shall be declared elected.

In the event that no nominee receives more than one-half of all votes cast, a third ballot shall be taken on the two candidates receiving the highest number of votes cast and the person then receiving the majority of the votes shall be declared elected.

Members of the Community Committee, delegate, and alternates, shall be elected as outlined above and in the following order:

Chairman
Vice-Chairman
Third Member
First Alternate
Second Alternate
Delegate
Alternate Delegate

Method B

1. At least eight persons will be nominated by written ballot or from the floor, or both, for the offices of community committeemen and alternates. The names and towns of residence of such eight or more persons should be posted on a blackboard visible to the meeting.

Each qualified voter will then be furnished a ballot on which to write as his choice of a community committee and alternates the names of five of the eight or more persons nominated and previously posted on the blackboard.

Tellers appointed by the Chair will then collect the ballots and post the number of votes received by each nominee opposite his name on the blackboard.

The person receiving the highest number of votes shall be declared elected Chairman of the Community Committee. The persons receiving the second highest, third highest, fourth highest, and fifth highest number of votes cast will be declared elected Vice-Chairman, third member, first alternate, and second alternate, respectively, of the Community Committee.

2. At least four persons (which number may include any of those persons elected as Community Committeemen or alternates) will be nominated by written ballot, or from the floor, or both, for ~~the~~ offices of delegate and alternate delegate. The names of such four or more persons should be posted on a blackboard visible to the meeting.

Each qualified voter will then be furnished a ballot on which to write as his choice of persons to serve as delegate and alternate delegate the names of two of the four or more persons nominated and previously posted on the blackboard.

Tellers will then collect the ballots and post the number of votes received by each nominee opposite his name on the blackboard.

The person receiving the highest number of votes shall be declared elected delegate, and the person receiving the second highest number of votes shall be declared elected alternate delegate.

If two or more persons receive an equal number of votes on the initial ballot for committeemen or for delegates as outlined above, a second ballot will be taken for the election of one of such persons to the particular office for which the vote was tied on the initial ballot.

F. "Minutes of Community Election Meeting" (Form ACP-81)

Immediately following the completion of election of Community Committeemen and delegates to the County Convention, Form ACP-81, "Minutes of Community Election Meeting", shall be prepared in duplicate and signed by the newly elected Chairman of the Community Committee and the Secretary who acted during the election meeting. One copy of Form ACP-81 as certified by the Chairman of the Community Committee and Acting Secretary of the meeting shall be handed to the delegate elected to represent the community at the County Convention. The original certified copy of Form ACP-81 shall be forwarded to the County Committee. The county office will then prepare three typed copies. Special care should be exercised to make sure that the address shown for each committeeman is the correct mail address.

The certified copy of Form ACP-81 shall constitute the authority for the delegate or the alternate delegate, if he be acting, to represent the community at the County Convention, provided such delegate or alternate is eligible to serve under Article V of the Articles of Association, as amended. It should be noted that in executing Form ACP-81, the Chairman of the Community Committee and Acting Secretary certify that the persons elected are eligible to serve in accordance with Article V of the Articles of Association. It is their responsibility to make this determination. If a Community Committeeman or delegate has been elected who is not eligible, the newly elected Chairman and Acting Secretary shall note the reason for such ineligibility of any person on Form ACP-81.

In case a person has been elected or selected who is later determined to be ineligible, a vacancy shall exist, which vacancy shall be filled in accordance with Section 45 of Form ACP-71.

PART V. County Convention for Election of County Committeemen

Within the time prescribed by the Director of the Northeast Division or the State Committee and prior to January 1, 1940 a County Convention of the delegates elected at community elections shall be

held for the purpose of electing the County Committee. The Chairman of the 1939 County Committee, or, in his absence or inability, the third member or representative of the State Committee, shall preside at the County Convention until a new Chairman of the County Committee is elected. The Secretary of the County Committee shall act as Secretary of the Convention. Each delegate or alternate delegate present shall file with the Secretary Form ACP-81 showing that he is the duly elected delegate or alternate for his community and that he is eligible to participate in the election of the County Committee. These certified Forms ACP-81 will constitute a roster of those present and entitled to vote. The Acting Chairman shall read to and discuss with those present the Articles of Association, directing particular attention to Section 61, Entitled "Duties of County Committee".

Election of County Committee

Following a discussion of the duties and requirements of persons eligible to serve as members of the County Committee, the delegates will proceed to nominate and elect by written ballot a County Committee of three members, and, in addition, a first alternate and a second alternate member. Immediately following the election, the Secretary to the 1939 County Committee will notify, in writing, the newly elected members of the County Committee and alternates of their election.

So far as practicable, the convention of delegates should elect County Committeemen who will fairly represent the various sections and types of agriculture in the county.

PART VI. First Meeting of the County Committee

As soon as possible (after January 1, 1940) a meeting of the newly elected County Committee shall be held.

Selection of Secretary to and Treasurer of the County Committee

The first item of business for the newly elected County Committee shall be the selection of a Secretary to and Treasurer of the County Committee in accordance with Sections 52 and 53 of the Articles of Association. In this connection, it should be noted that neither the Secretary nor Treasurer shall be a member of the County Committee and need not be a member of the Association.

The County Administrative Assistant or the County Agent, however, is eligible for selection as Secretary to the County Committee. If neither the County Agent nor the County Administrative Assistant is selected as Secretary, the person selected should preferably be a clerical employee of the County Committee who has had training in office procedure.

The offices of Secretary and Treasurer may be combined into the office of Secretary-Treasurer. In this event, it is recommended that the person chosen for this office be the County Administrative Assistant. Otherwise, it is recommended that a clerical employee of the Association be selected as Treasurer of the County Committee. The County Agent is not eligible to serve as Treasurer or Secretary-Treasurer of the Association.

"Report of Election Meeting of
Delegates to County Convention" (Form ACP-82)

Immediately after the first meeting of the County Committee, Form ACP-82 shall be prepared with typewriter in triplicate and certified by the Chairman of and Secretary to the County Committee. It should be noted that the Chairman of and Secretary to the County Committee in signing Form ACP-82 certify that the Committeemen elected and the Secretary and Treasurer selected are eligible to serve in accordance with Article V of the Articles of Association. If, contrary to the approved procedure, a County Committeeman or Alternate Committeeman has been elected or a Secretary or Treasurer has been selected who is ineligible, the Chairman and Secretary shall note this fact on Form ACP-82 and state the reason why he is ineligible. No person elected or selected for an office or position for which he is ineligible shall qualify for such office or position, and any claims included on Form ACP-9 for any person ineligible to serve in the office or position for which the claim is made shall be disallowed by the Chairman and Secretary when Form ACP-9 is certified. In case Form ACP-82 shows the election or selection of any person not eligible to serve, a vacancy shall exist, which vacancy shall be filled in accordance with Section 45 of Form ACP-71.

PART VII. Oath of Office and Service Obligation (Form ACP-88)

The Oath of Office and Service Obligation (Form ACP-88) must be signed by all newly elected members and officers of the county committee as well as newly elected members of the community committee who, in accordance with NER-Adm.-136, Supplement No. 2, are required to sign such form. However, newly elected committeemen and officers who have already signed Form ACP-88 are not required to execute a new one.

These forms may be signed at county and community election meetings if the persons elected and required to sign are present at such meetings. In any event, the necessary Form ACP-88 must be executed as soon as possible following election in order that they may be transmitted to the State office together with other organization forms.

PART VIII. Transmittal of Organization Forms and Reports

Immediately following the first meeting of the County Committee and the selection of a Secretary or a Treasurer, the person selected as Secretary shall transmit to the State Committee the following forms:

1. Form ACP-81 "Minutes of Community Election Meeting", for each community - Original and two typed copies.
2. Form ACP-82, "Report of Election Meeting of Delegates to Community Convention" - original and first copy.
3. Minutes of County Convention, and Minutes of First Meeting of County Committee at which Secretary and Treasurer were selected - original and first copy of each.
4. A signed copy of Form ACP-88 for each newly elected committeeman or officer who in accordance with NER-Adm.-136, Supplement No. 2, is required to sign such form and for whom a copy of ACP-88 has not previously been submitted.

The State Committee shall then transmit to the Director of the Northeast Division the original of each of the foregoing organization forms and an extra typed copy of Form ACP-81, except forms ACP-88 which should be retained in the State office.

PART IX. Preparation and Submission of Form ACP-80, "Community Boundaries"

A. Preparation of Form ACP-80

Form ACP-80 should be submitted only for those counties in which the County Committee desires to recommend changes in community boundaries as now established. This form shall be prepared in triplicate. All entries other than signatures shall be typed. Enter in the upper right-hand corner in the spaces provided the names of the County and State. Submit on an attached sheet or on the reverse side of Form ACP-80 a map of the county with the proposed communities distinctly outlined and identified by name, letter, or number.

Enter on Form ACP-80 in column 1 the name, letter, or number of each community as it appears on the back or on the attached sheet.

Enter in column 2 the total number of active farms in the community eligible to participate in the Program based on the best information available to the County Committee. This figure should represent the number of farms of such size and operated in such manner as to be potential participants in the program.

Enter in column 3 the number of farms for which a "Notice of 1939 Agricultural Conservation Program" has been prepared. This should conform with the number of farms in the community on which performance is being checked in 1939.

Enter in column 4 the estimated number of applications for payment for the community in 1939, including the farms on which performance is rendered in 1939 but for which no application for payment will be made by reason of having received grants of aid in lieu of other payment.

The Chairman of and Secretary to the 1939 County Committee shall then sign all three copies of the form in the spaces provided for their signature.

B. Transmittal of Form ACP-80

Three copies of Form ACP-80 prepared as outlined above for those Counties in which changes are recommended shall be transmitted to the State Committee. The State Committee will make any changes in each copy necessary to insure the establishment of community boundaries in conformity with the Articles of Association and consistent with sound organization procedure. After correction and approval by the State Committee, the original corrected copy shall immediately be forwarded by the State Committee to the Director of the Northeast Division for final correction and approval.

Upon receipt of approval by the Regional Director of the boundaries as recommended, the State Committee will make the necessary corrections in the two remaining copies of Form ACP-80 and return the corrected third copy of the form to the County Committee with instructions to proceed with election meetings.

Chas. D. Lewis,
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Agricultural Adjustment Administration.